

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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PHYTO TECH CORP.  
d/b/a BLUE CALIFORNIA,

Plaintiff,

Civil Action No. 19-cv-09033-JGK

v.

GIVAUDAN SA,

Defendant.

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**GIVAUDAN SA'S NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Givaudan SA hereby appeals to the United States Court of Appeals for the Second Circuit from each and every part of:

- The Court's Order, dated January 11, 2023 (Docket No. 107), Granting Liquidating Trustee's Motion for Limited Stay of Order Approving Liquidating Trustee's Final Report and Granting Motion for Approval of the Trustee's Proposed Wind Up and Dissolution of BGN Tech, LLC.

DATED: February 8, 2023

GOLDBERG SEGALLA LLP

*/s/ Jonathan M. Bernstein*

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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing instrument has been served on this day, February 8, 2023, via the Court's ECF system.

/s/ Jonathan M. Bernstein

Jonathan M. Bernstein